

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**TYRONE HENDERSON, *et al.***

**Plaintiffs,**

**v.**

**Civil Action No. 3:12cv97 (REP)**

**CORELOGIC, INC., *et al.***

**Defendants.**

**MEMORANDUM IN SUPPORT OF JOINT MOTION FOR EXTENSION OF  
DISCOVERY CUTOFF AND ASSOCIATED DEADLINES AND  
FOR ENTRY OF AGREED PROTECTIVE ORDER**

Defendants, CoreLogic, Inc. and CoreLogic National Background Data, LLC f/k/a National Background Data, LLC (collectively, “Defendants”), and Plaintiffs, Tyrone Henderson and James Hines (collectively, “Plaintiffs”), by counsel, state as follows for their Joint Motion for Extension of Discovery Cutoff and Associated Deadlines and for Entry of Agreed Protective Order.

Pursuant to the Court’s Agreed Supplemental Scheduling Order entered on October 23, 2012 (ECF No. 28), the deadline for completion of Phase I discovery, for the filing of motions for summary judgment, and for the Plaintiffs to move for class certification is March 8, 2013. On several dates, the parties have engaged in productive meet and confer discussions regarding the discovery served by both parties and the scheduling of this case. During such discussions, the parties discussed extending the discovery cutoff in order to conduct additional merits-based and class certification discovery, as well as to develop an efficient process for the resolution of any discovery disputes.

The parties have made substantial progress in negotiations. Moreover, no trial date has been set in this case that will be affected by any extension of the discovery cutoff. Accordingly,

the parties request that the Court enter an Agreed Order, attached hereto as **Exhibit A**, which extends the discovery cutoff until May 31, 2013, and which allows the parties to resolve any discovery disputes in the streamlined manner expressed therein through the Court's appointment of a magistrate judge to resolve any discovery disputes in an expedited and binding manner.

In accordance with the proposed, streamlined discovery process, the parties have also agreed in the proposed Agreed Order to mutually: (1) forego any obligation to create or serve a privilege log in Phase I of this action; (2) defer any discovery relating to damages until Phase II of discovery; and (3) establish a deadline for simultaneous submission of expert disclosures and any rebuttal expert disclosures in Phase I.

Furthermore, during the course of this litigation, including in the discovery process that is currently underway, the parties will have to produce documents and other information that will include confidential and proprietary materials. The public disclosure of such materials could be harmful to the disclosing party's interests. Accordingly, the parties have agreed to terms for the production, disclosure, and filing of such confidential and proprietary materials, which are set forth in the Stipulated Protective Order and Non-Waiver Order, attached hereto as **Exhibit B**, and which comports with those forms of protective order previously entered by this Court.<sup>1</sup> The parties therefore move the Court to enter the attached Stipulated Protective Order and Non-Waiver Order.

WHEREFORE, the parties respectfully request that the Court enter the Agreed Order for the extension of the discovery cutoff and associated deadlines, as well as the proposed Stipulated Protective Order and Non-Waiver Order.

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<sup>1</sup> Copies of the original Agreed Order and Stipulated Protective Order and Non-Waiver Order with the original signatures of counsel for the parties are being circulated among counsel and will be hand delivered to the Court forthwith.

**CORELOGIC, INC. and CORELOGIC  
NATIONAL BACKGROUND DATA, LLC f/k/a  
NATIONAL BACKGROUND DATA, LLC**

By: /s/ \_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 28th day of February 2013, I filed a copy of the foregoing on the Court's Electronic Case Filing System, which will send a copy of such filing to the following:

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